Attorney Docket No. PA446C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>n re</i> Application:) Title:	
Lundby et al.) Method and Apparatus	
) Providing Orthogonal S	pot Beams,
N 000000000) Sectors, and Picocells	
Application No: 09/852,389) Confirmation No.: 5504	RECEIVED
Filed: May 9, 2001) Communation No.: 5504	CENTRAL FAX CENTER
(ned. 14ay 3, 2001) Examiner: Steven H.D. Ngu	TAR
)	AUG 2 4 2005
Attorney Docket No.: QCPA446C1) Group Art Unit: 2665	
TERMINAL DISCLAIMER TO OBVIUNDER	IATE A DOUBLE PATENTING RE, 37 CFR §1.321(c)	TECTION .
Commissioner for Patents		
P.O. Box 1450		
Alexandria, VA 22313-1450		
I, Kam T. Tam, am the attorney of re	cord for this invention. The assignee,	
QUALCOMM Incorporated, is located at 57	75 Morehouse Drive, San Diego, Califo	ornia 92121.
ENGUNG OF DIG	CLAIMANT'S INTEREST	
.		
The extent of the interest in this inve	ntion that the disclaimant owns is the w	hole of this
invention.		
CERTIFICATE OF MAIL!	NG/TRANSMISSION (37 CFR 1.8(2))	
I hereby certify that this correspondence is, on the da MAILING	te shown below, being: FACSIMULE	
deposited with the United States Postal Service	□ transmitted by facsimile to the	Patent and
with sufficient postage as first class mail, in an	Trademark Office.	
envelope addressed to the Commissioner for Patchts, P.O. Box 1450, Alexandria, VA 22313-		
1450.	Depositor's Name: Tram O. Le	
Depositor's Name:	(type or print name)	0
(type or print nume)	Signature:	right
Dare: August 24, 2005		•
		·

08/25/2005 RFEKADU1 00000031 170026 09852389 02 FC:1814 130.00 DA

1

Terminal Disclaimer - Granted Patent-VER 1.11/16/04)

PAGE 11/12 * RCVD AT 8/24/2005 5:09:57 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:+8586515400 * DURATION (mm-ss):02-48

Attorney Docket No. PA446C1

DISCLAIMER

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154-156 and 173 of United States Patent No. 6,285,655 is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,285,655, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the above identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154-156 and 173 of United States Patent No. 6,285,655, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued in any manner or are terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge payment of the Terminal Disclaimer Fee of \$130.00 under 37 C.F.R. § 1.20(d) and any additional fees which may be required, or credit any overpayment, to Deposit Account No. 17 - 0026. A duplicate of this sheet is enclosed for charge purposes.

Dated: August 24, 2005

By:

Kan T. Tam & Reg. No. 35, 756

espectfully submitted

(858) 651 5563

QUALCOMM Incorporated

Attn: Patent Department 5775 Morehouse Drive

San Diego, California 92121-1714

Telephone:

(858) 658-5787

Facsimile:

(858) 658-2502

2